

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ELOUISE PEPION COBELL, *et al.*,)
)
 Plaintiffs,)
)
 v.)
)
 KEN SALAZAR, Secretary of the Interior, *et al.*,)
)
 Defendants.)
 _____)

Civil Action No.
96-CV-01285 (TFH)

FILED

JUN 19 2013

Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

**ORDER GRANTING UNOPPOSED MOTION TO MODIFY DISTRIBUTION OF
SETTLEMENT PROCEEDS TO ESTATES AND
HEIRS OF DECEASED CLASS MEMBERS**

Upon consideration of Plaintiffs’ Unopposed Motion, in accordance with the parties’ *Class Action Settlement Agreement* dated December 7, 2009, as amended (“Settlement Agreement”), and this Court’s *Order Granting Final Approval to Settlement* dated July 27, 2011 [Dkt. No. 3850] (“Final Approval Order”), to establish additional procedures for the distribution of Historical Accounting and Trust Administration payments to the estates and heirs of deceased class members [Dkt. No.], it is hereby Ordered as follows:

1. The Claims Administrator, Garden City Group, Inc. (“GCG”), is authorized and directed to distribute settlement proceeds to the estates or heirs of deceased members of the Historical Accounting and Trust Administration classes in the following manner based on the documentation available at the time of distribution:

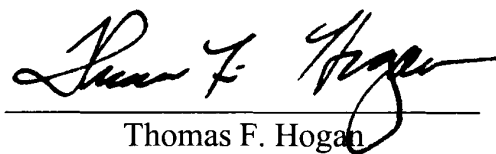
- a. To the heirs of a deceased class member pursuant to a state or tribal probate order.

- b. To the existing legally appointed executor or administrator of an estate of a deceased class member.
- c. Pursuant to the terms of a will of a deceased class member that addresses, including through a residuary clause, the distribution of the settlement funds, where that will has been accepted for probate by a state or tribal court or the Department of the Interior.

2. With respect to all remaining settlement payments for deceased members of the Historical Accounting and Trust Administration Classes where documentation has been provided to GCG but not within categories 1(a)-(c) above, or where the documentation provided prior to distribution is ambiguous or conflicting, payments shall be made by GCG in accordance with orders of the Special Master as he may determine in his discretion, including using procedures under applicable state or tribal law for small estates and federal probate orders for the disposition of trust property.

3. For any such funds that remain unpaid after November 24, 2014, the Special Master shall, after considering any recommendation from the Claims Administrator and class counsel, enter orders regarding the disposition of any such funds.

SO ORDERED this the 18th day of June, 2013.



Thomas F. Hogan
United States District Judge